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**From:** Borum, Denis  
**To:** Hall, Lynda; Bowles, Jack  
**Sent:** 5/15/2014 12:59:47 PM  
**Subject:** RE: CZARA settlement agreement messages for Congressional Staff

Thank you, Lynda. Where would we be without missing deadlines? (rhetorical question, really)

**From:** Hall, Lynda  
**Sent:** Thursday, May 15, 2014 12:22 PM  
**To:** Borum, Denis; Bowles, Jack  
**Cc:** Waye, Don; Wall, Tom; Bonanno, Gale; Solloway, Chris  
**Subject:** CZARA settlement agreement messages for Congressional Staff

Hi Denis and Jack,

Today EPA and NOAA are missing a settlement agreement deadline with NWEA on the Oregon CZARA matter. NOAA developed the communication below for the Congressional delegation. I don't think we need to follow suit, but wanted to keep you in the loop and to have these materials at the ready in case any questions come in.

Lynda

**From:** Allison Castellan - NOAA Federal [<mailto:allison.castellan@noaa.gov>]  
**Sent:** Thursday, May 15, 2014 11:46 AM  
**To:** Psyk, Christine; Hall, Lynda; Joelle Gore - NOAA Federal  
**Cc:** Carlin, Jayne; Wu, Jennifer; Waye, Don; Henning, Alan; Jeff Dillen - NOAA Federal; Byrne, Jennifer; Sweeney, Stephen  
**Subject:** Email sent to DC Congressional Staff

FYI--See below for notification sent to Congress.

----- Forwarded message -----

**From:** **Michael Dukes - NOAA Federal** <[michael.dukes@noaa.gov](mailto:michael.dukes@noaa.gov)>  
**Date:** Thu, May 15, 2014 at 11:14 AM  
**Subject:** Update on Status of Decision on Approvability of the Oregon Coastal Nonpoint Program  
**To:**

## **FOR CONGRESSIONAL INTEREST--**

Dear Congressional Colleagues:

NOAA and EPA issued a Federal Register Notice (FRN) in December 2013 announcing the intent to disapprove Oregon's Coastal Nonpoint Program. The public comment period closed on March 20, 2014 and the agencies are currently reviewing and preparing responses to the comments received. Preventing and reducing coastal nonpoint source pollution, as the Coastal Nonpoint Program is designed to do, is very important to NOAA and EPA. NOAA and EPA will not issue a final decision on the program by May 15 as previously stated. The agencies will take additional time to carefully consider all the input received.

The May 15<sup>th</sup> deadline was part of a settlement agreement between the Northwest Environmental Activists (NWEA) and the agencies. NWEA sued the EPA and NOAA in 2009 over the approvability of the

Oregon program. Both agencies have asked NWEA for an extension period to complete full review of the public comments received and are currently in a 30-day informal dispute resolution period to see if all parties can agree on an extension.

Oregon's program will not be impacted until NOAA and EPA issue a final decision. If the agencies disapprove the program, as proposed in December 2013, the state will face penalties.

Please feel free to call or email me for additional information and/or to request a briefing.

Respectfully,

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Michael Dukes  
Congressional Affairs Specialist  
Office of Legislative & Intergovernmental Affairs  
National Oceanic & Atmospheric Administration  
U.S. Department of Commerce  
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